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NOMINATIONS OF ERIC HIMPTON HOLDER, JR., AND MILDRED MATESICH EDWARDS

HEARING

BEFORE THE

COMMITTEE ON GOVERNMENTAL AFFAIRS
UNITED STATES SENATE

ONE HUNDREDTH CONGRESS

SECOND SESSION

ON

NOMINATIONS OF ERIC HIMPTON HOLDER, JR., AND MILDRED MATESICH EDWARDS TO BE ASSOCIATE JUDGES OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

SEPTEMBER 8, 1988

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NOMINATIONS OF ERIC HIMPTON HOLDER, JR., AND MILDRED MATESICH EDWARDS

THURSDAY, SEPTEMBER 8, 1988

U.S. SENATE,
COMMITTEE ON GOVERNMENTAL AFFAIRS,
Washington, DC.

The Committee met, pursuant to notice, at 10 a.m., in room SD-342, Dirksen Senate Office Building, Hon. Jim Sasser presiding.

Present: Senator Sasser.

OPENING STATEMENT OF SENATOR SASSER

Senator SASSER. Good morning. The Committee will come to order.

I want to apologize to all assembled here for my tardiness this morning but we had some other committee business from another committee that had to be taken care of, so that's the reason for our lateness.

It gives me great pleasure this morning to welcome two nominees for the position of Associate Judge of the Superior Court of the District of Columbia. Mr. Eric H. Holder, Jr., one of the nominees, is a trial attorney with a dozen years experience as a member of the Public Integrity Section of the Criminal Division at the U.S. Department of Justice. I might say that the Committee has been contacted by a number of distinguished attorneys with national reputations recommending Mr. Holder; two of these distinguished attorneys from my home State of Tennessee.

We are also pleased that Ms. Mildred M. Edwards is coming before us this morning. She has for the past year been of counsel to the distinguished Washington litigation firm of Stein, Mitchell and Mezines. Prior to that she demonstrated her commitment to public service in a diverse career, serving in the Public Defender's Office here in the District of Columbia, the Civil Rights Division at the Department of Justice, and as Chief Staff Counsel for the D.C. Circuit of the U.S. Court of Appeals.

Mr. Holder was nominated by President Reagan for the position of associate judge on April 28, 1988 to serve a term of 15 years—sometimes I wish United States Senators had a term that long—and Ms. Edwards was nominated by the President for a second opening on the same bench, also a 15-year term, on July 25, 1988.

During the intervening weeks since these nominations the staff of the Committee on Governmental Affairs has been working closely with both of these nominees who I'm advised by staff have been most cooperative in providing information. I want to take this op-

portunity to express my appreciation to the nominees for their cooperation on behalf of the staff of the Committee and on behalf of the members of the Committee.

Now, as required by Rule 8, which this Committee adopted in 1978, these nominees have been subject to very careful review and scrutiny. Rule 8 sets out the requirements which must be met as to all confirmations assigned to this Committee for review. Rule 8 requires that the Committee conduct an inquiry into the nominees' experience, their qualifications, their suitability, their integrity, all of these matters, to determine if they are competent and capable to serve in the position for which the President has nominated them. The Committee feels that this rule ensures a thorough yet reasonable review of the nominees' background and qualifications.

It might be proper now to briefly summarize the procedure that the Committee has followed in evaluating the two nominees before us this morning. First, the nominees were asked for and they supplied detailed information about their education, about their appointments and their professional achievements, as well as complete financial statements. In addition, the nominees have responded in writing to prehearing questions submitted by the Committee concerning the duties and responsibilities of the positions to which they have been nominated. Financial statements and biographical information are available for inspection by the general public in the Committee offices. I am also placing the biographical information of the nominees, as well as their written prehearing responses, in the record as a part of the permanent record of this hearing.

Committee investigators have reviewed each nominee's biographical and financial information. In addition, Committee staff have examined financial disclosure reports submitted by the Office of Government Ethics and the respective agency ethics officers to ensure that no conflicts of interest are present.

Finally, the nominees were individually interviewed by designated Committee staff members who submitted their report to members of this Committee containing all relevant information and qualifications for the position to which these nominations pertain. Having gotten through that, we will proceed with the nominations in the order of their submission by the President.

TESTIMONY OF ERIC HIMPTON HOLDER, JR., NOMINEE TO BE ASSOCIATE JUDGE, SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

Senator SASSER. Mr. Holder, will you please come forward sir and raise your right hand.

Do you solemnly swear that the testimony you are about to give in this hearing shall be the truth, the whole truth and nothing but the truth so help you God?

Mr. HOLDER. I do.

Senator SASSER. Please be seated.

Now, Mr. Holder, let me proceed with the Committee's standard questions for nominees.

Do you know of any reason, personal or otherwise, which would in any way prevent you from fully and honorably discharging your

responsibilities as a judge of the court to which you have been nominated?

Mr. HOLDER. I know of no such reason, Senator.

Senator SASSER. All right, Mr. Holder. For the record, in the event that you are confirmed is it your intention, as far as you can ascertain at the present time, to serve the full 15-year term of office?

Mr. HOLDER. Yes, that is my intention.

Senator SASSER. Have you ever been involved in civil litigation or administrative proceedings of any kind, as either a plaintiff, defendant, respondent, witness or party in interest which is related directly or indirectly to the office to which you have been nominated?

Mr. HOLDER. No, sir, I have not.

Senator SASSER. Have you or any member of your immediate family been involved in any controversy or litigation with the tax authorities of the Federal Government, the Government of the District of Columbia or other State or local governments?

Mr. HOLDER. No, we have not.

Senator SASSER. Is there anything else of which you are aware in your personal or professional background which would present any kind of conflict of interest with the duties of the position to which you have been nominated?

Mr. HOLDER. No, Senator. I'm not aware of anything of that nature.

Senator SASSER. How would you propose, Mr. Holder, to resolve any potential conflict of interest that might arise during your tenure as an associate justice?

Mr. HOLDER. Well, I believe that my background as a prosecutor in the section of the Department of Justice that has the responsibility for enforcing the Federal criminal conflict of interest statutes has sensitized me to the dangers of conflicts. I am also aware that appearances and perceptions are just as important as reality. I will, obviously, endeavor to stay clear of any conflict situation that I can avoid, but if one does occur I would not hesitate to recuse myself.

Additionally, where there was even a possibility of the appearance of a conflict I would make full disclosure to the involved parties, and I believe in that way, could avoid the appearance of a conflict or an actual conflict.

Senator SASSER. Do you agree, Mr. Holder, without reservation to respond to any reasonable summons to appear and testify before any duly constituted committee of the Congress if you are confirmed?

Mr. HOLDER. Yes, sir, I will.

Senator SASSER. Now, Mr. Holder, I am pleased to tell you that the Committee has received copies of several letters addressed to the Chairman of the District of Columbia Judicial Nomination Commission, the Honorable Wiley A. Branton. Without exception, the writers of these letters attest to you, give you their personal testimonial as to your qualifications, and they personally and professionally support your nomination.

They include letters from Thomas H. Henderson, Jr., the Executive Director of the Association of Trial Lawyers of America; Steven Sims, the Deputy Commissioner of Public Health of the

Government of the District of Columbia; a letter from Reid H. Weingarten, Esquire, and Daryl A. Chamblee, Esquire, both of the Washington law firm of Steptoe & Johnson; Lauri J. Fitz, Senior Vice President of Hill and Knowlton, Incorporated, of Washington; and Richard Janis from the law firm of Janis, Schuelke & Wechsler of Washington.[1]

I'm also pleased to say, as I alluded to earlier, that my old friend of many years, Jim Neal, a distinguished lawyer with Neal and Harwell in Nashville, called and personally expressed his support, and his partner and good friend, Aubrey Harwell, also described you in glowing terms, Mr. Holder.

Is there anything else that you would care to tell the Committee concerning your background, education and professional experience and what points in particular qualify you to be a member of the Superior Court of the District of Columbia?

Mr. HOLDER. Yes, Senator. In 12 years as a Federal prosecutor I have tried a number of political corruption cases in a variety of places in this country. I have also argued a number of appeals before the various courts of appeals. I think I have had, in short, extensive litigation experience. The cases that I have tried have oftentimes been complex and frequently involve fact situations that were of extreme interest locally and sometimes nationally. The cases are ones that must be handled in a sensitive manner and involved, unfortunately, ambassadors, judges, fellow prosecutors and FBI agents as defendants.

In these cases the Government had to be perceived as being fair. I believe that I have handled these cases in a professional manner consistent with the unique obligation that is a prosecutor's ultimate duty, and that is to ensure that justice is done. I think that I am ready to take this background as a litigator and transfer my experience and developed ability to analyze factual and legal situations to the trial court bench of the District of Columbia.

Just as importantly, I am very proud of the work that I have done with the organization "Concerned Black Men" that has made me aware of the problems that face many of the residents of the District of Columbia. At CBM we try to address these problems by becoming actively involved, by giving of our time, and by being a constant hands-on presence in areas where we are needed. I feel that this exposure through CBM has given me a somewhat unique perspective, a perspective that I think will be invaluable to me as a trial court judge in this city. I believe that this combination of acquired legal skills and community involvement will serve me well on the court.

Senator SASSER. Well, thank you very much, Mr. Holder. We are going to hold the record open until the close of business on next Friday. During that period of time some members of the Committee may have additional questions which they would like to submit to you in writing and I would suggest that you respond as expeditiously as possible if such questions are forthcoming. Then we want to proceed promptly on your nomination on the floor.

---

[1] See p. 14 for copies of the letters.

Mr. Holder, do you have people accompanying you today that you might wish to introduce to the Committee?

Mr. HOLDER. Yes, I do. My mother is here, Miriam Y. Holder, from New York, as is her sister, my aunt, Gloria Shepperson. I also have a number of my colleagues from the Public Integrity Section and friends from New York and from Washington, D.C., here.

Senator SASSER. Well, thank you, and we are delighted to have your friends and colleagues here this morning, particularly your mother. We are pleased to see her here this morning.

Mr. HOLDER. Thank you, Senator.

Senator SASSER. Well, thank you very much and we will be acting on your nomination quickly.

Mr. HOLDER. Thank you.

TESTIMONY OF MILDRED MATESICH EDWARDS, NOMINEE TO BE ASSOCIATE JUDGE, SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

Senator SASSER. Now we would like to hear from Ms. Edwards, if you would come forward.

It is a pleasure to have you with us this morning. Let me swear you in. Would you raise your right hand, please.

Do you solemnly swear that the testimony you are about to give to this hearing will be the truth, the whole truth and nothing but the truth so help you God?

Ms. EDWARDS. I do.

Senator SASSER. Please be seated. Now, Ms. Edwards, do you have friends or family in the hearing room that you would like to introduce to the Committee this morning?

Ms. EDWARDS. Yes, I do, Senator. My husband, Harry Edwards, is here, and my daughter, Jessica Seidman, and also several friends from the United States Court of Appeals and from the Justice Department.

Senator SASSER. Good. We are pleased to have them here this morning, particularly your husband and daughter.

Now, I'm going to ask you the standard questions, Ms. Edwards, that we ask of all nominees.

Do you know of any reason, personal or otherwise, which would in any way prevent you from fully and honorably discharging your responsibilities as a judge of the court to which you have been nominated?

Ms. EDWARDS. Senator, I know of no such reason.

Senator SASSER. Now, my next question will call for you to look to the future. In the event that you are confirmed is it your present intention to serve the full 15-year term of office?

Ms. EDWARDS. Yes, sir, it is.

Senator SASSER. Have you ever been involved in civil litigation or administrative proceedings of any kind, as either a plaintiff, defendant, respondent, witness or party in interest which is directly related or indirectly related to the office to which you have been nominated?

Ms. EDWARDS. No, sir, I have not.

Senator SASSER. Have you or any member of your immediate family been involved in any controversy or litigation with the tax

authorities of the Federal Government, the Government of the District of Columbia or any State or local governments?

Ms. EDWARDS. No, sir, we have not.

Senator SASSER. Is there anything else of which you are aware in your personal or professional background which would present any kind of conflict of interest with the duties of the position to which you have been nominated by the President

Ms. EDWARDS. There is nothing that I'm aware of, Senator.

Senator SASSER. How would you propose to resolve any potential though presently unforeseeable conflict of interest should one arise during your tenure as an associate justice?

Ms. EDWARDS. When I became the Chief Staff Counsel to the United States Court of Appeals, Senator, I had to face that issue directly, and my practice at that time was to notify litigants in any cases from the Justice Department of my position and of my decision to recuse myself from that litigation, and that would be my practice on the bench as well, to recuse myself in any case where there was a conflict and to make the parties aware of any potential conflict.

Senator SASSER. Finally, Ms. Edwards, do you agree without reservation to respond to any reasonable summons to appear and testify before any duly constituted committee of the Congress if you are confirmed?

Ms. EDWARDS. Yes, Senator.

Senator SASSER. Now, your biographical information submitted to the Committee demonstrates a record of lengthy and productive service to this city. I note that you have experience with the criminal justice system on both the defendant's and plaintiff's side of the table, and as a local public defender and a prosecutor with the Civil Rights Division, also.

I think it's significant that this experience was supplemented by considerable exposure to the judicial function through your years as Chief Staff Counsel to the U.S. Court of Appeals for the District of Columbia.

At this time perhaps you would like to share additional comments with the Committee regarding your background, your education, your professional experience, and what you feel you would bring from that experience to your service as a member of the Superior Court of the District of Columbia, anything in your background that you think particularly qualifies you for this post.

Ms. EDWARDS. Well, as you pointed out, Senator, I am advantaged in having begun my practice of law in this city 15 years ago in the District of Columbia Superior Court as a public defender. I have also had the advantage of having prosecution experience in criminal practice while I was at the Justice Department. I have done appellate work in the District of Columbia Court of Appeals, as well as my appellate work at the Justice Department. I have also had civil litigation experience, again, in the Superior Court, while I was in private practice; most recently with the excellent litigating firm of Stein, Mitchell and Mezines.

Coupled with the litigation experience, however, is my two years as Chief Staff Counsel to the United States Court of Appeals here where I had the opportunity to experience the problems of judicial administration first hand. The Court has a very heavy case load. It

had a chief counsel's office that was in need of restructuring to help it meet the demands of that case load, and I had a wonderful opportunity there to look at the business of courts from the standpoint of administration as well as what judges actually do on the bench.

I think that has helped me not only in understanding the responsibilities of the Superior Court, but also understanding the particular role that a judge has, the particular neutrality and fairness that is imposed on a judge. I think the combination of that with my litigation experience equips me well to serve the Superior Court.

Senator SASSER. Well, Ms. Edwards, let me thank you on behalf of the Committee staff and the other members of the Committee for appearing before us this morning. As I told Mr. Holder, we are going to hold the record open until the close of business on next Friday. If, during that period of time, some members have additional questions to propound to you in writing, I would suggest that you respond to those as quickly as possible. I frankly doubt that any will be forthcoming, but in the event that they are, you ought to respond to them as quickly as possible, and we will do our best to get these nominations to the floor of the Senate just as rapidly as it can be done.

I want to thank both of the nominees for appearing before us this morning, thank them for their cooperation. We appreciate their family and friends joining us here for these hearings this morning.

There being no other business to come before the Committee, this Committee will stand in recess subject to the call of the Chair.

[Whereupon, at 10:21 a.m., the Committee adjourned subject to the call of the Chair.]

APPENDIX

BIOGRAPHICAL AND FINANCIAL INFORMATION

A. Biographical Information

1. Name: Eric Himpton Holder, Jr.

2. Position to which nominated: Associate Judge
District of Columbia
Superior Court

3. Date of nomination: April 28, 1988

4. Address: Residence - 7255 15th Place, N.W.
Washington, D.C. 20012
(202) 722-5465

Office - 1400 New York Avenue, N.W.
Washington, D.C. 20530
(202) 786-5071

5. Date and place of birth: January 21, 1951
New York, New York

6. Marital status: Single

7. Names and ages of children: I have no children.

8. Education: Stuyvesant High School
New York, New York
1966 - 1969

Columbia College
New York, New York
1968 - 1973
B.A. May 1973

Columbia Law School
New York, New York
1973 - 1976
J.D. May 1976

9. Employment record:

1976 to present: U.S. Department of Justice
Criminal Division
Public Integrity Section
Washington, D.C.
Trial Attorney

Summer of 1976: U.S. Department of Justice
Criminal Division
General Crimes Section
Washington, D.C.
Law Clerk

Academic Year 1974 - 1975: New York State Urban Development Corporation
New York, New York
Law Intern

Summer of 1974: N.A.A.C.P. Legal Defense Fund
New York, New York
Law Clerk

Summer of 1973: International Business Machines
Great Neck, New York
Assistant Systems Engineer

10. Government experience: No other government service or positions.

11. Business relationships: I have not held any other positions with other institutions.

12. Memberships: Concerned Black Men, Inc.
Washington, D.C.
Executive Committee

13. Political affiliations and activities:

(a) List all offices with a political party which you have held or any public office for which you have been a candidate: None

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 10 years: None

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $50 or more for the past 10 years: None

14. Honors and awards: United States Department of Justice:
Special Achievement Award - 1985
Outstanding Performance Award - 1979, 1980, 1984, 1985, 1986

New York State Regents Scholarship (College)

National Achievement Scholar (College)

15. Published writings: None

16. Speeches: I have lectured on a variety of topics for the Department of Justice over the last five years. These

lectures were from notes that are not preserved in a formal manner. The topics included, among others, trial advocacy generally and how to try an official corruption case specifically. I have also taught at the Attorney General's Advocacy Institute.

17. Selection:

(a) Do you know why you were chosen for this nomination by the President?

I am not aware of the reasons why the President chose me for this nomination. It is my hope that he did so because he thought I had both sufficient experience and the proper temperament to be a judge.

(b) What do you believe in your background or employment experience affirmatively qualifies you for this particular appointment?

I have been a trial attorney with the Department of Justice for the past twelve years and have tried a number of cases in various parts of the country. The trials were always tried to a jury and were oftentimes complex. I believe I have had, as a result, experience sufficient to qualify me as a judge on the Superior Court. Just as importantly, I think that I possess a temperament that would allow attorneys who appeared before me to feel they were treated fairly, that their contentions were fully considered and that decisions I made were equitable ones.

B. Future Employment Relationships

1. Will you sever all connections with your present employers, business firms, business associations or business organizations if you are confirmed by the Senate?

Yes.

2. Do you have any plans, commitments or agreements to pursue outside employment, with or without compensations, during your service with the government?

No.

3. Do you have any plans, commitments or agreements after completing government service to resume employment, affiliation or practice with your previous employer, business firm, association or organization?

No.

4. Has anybody made a commitment to employ your services in any capacity after you leave government service?

   No.

5. If confirmed, do you expect to serve out your full term or until the next Presidential election, whichever is applicable?

   Yes.

C. Potential Conflicts of Interest

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients or customers.

   None.

2. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated.

   None.

3. Describe any business relationship, dealing or financial transaction which you have had during the last 10 years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.

   None.

4. Describe any activity during the past 10 years in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat or modification of any legislation or affecting the administration and execution of law or public policy.

   None.

5. Explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items.

   Given my experience as a prosecutor of official corruption cases, I understand fully that as a judge I would have to avoid even the appearance of a conflict. If necessary, I would recuse myself from any matter in which it was appropriate. However, given the fact that I have been with the Department of Justice for the past twelve years and am

not involved in any complex financial or political relationships, I do not expect to have any serious conflict problems. I will, however, be sensitive to any that may arise.

6. Do you agree to have written opinions provided to the Committee by the designated agency ethics officer of the agency to which you are nominated and by the Office of Government Ethics concerning potential conflicts of interest or any legal impediments to your serving in this position?

Yes.

D. Legal Matters

1. Have you ever been disciplined or cited for a breach of ethics for unprofessional conduct by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group?

No.

2. Have you ever been investigated, arrested, charged or held by any Federal, State, or other law enforcement authority for violation of any Federal, State, county or municipal law, regulation or ordinance, other than a minor traffic offense?

No.

3. Have you or any business of which you are or were an officer ever been involved as a party in interest in any administrative agency proceeding or civil litigation?

No.

4. Have you ever been convicted (including pleas of guilty or nolo contendere) of any criminal violation other than a minor traffic offense?

No.

5. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be considered in connection with your nomination.

No additional information.

E. Financial Data

(Retained in Committee files.)

SUPPLEMENT FOR D.C. JUDGE NOMINEES

F. Questions Concerning Statutory Qualifications Pursuant to District of Columbia Court Reform And Criminal Procedure Act of 1970, Sec. 11-1501(b) of the D.C. Code As Amended

1. Are you a citizen of the United States?

   Yes.

2. Are you a member of the bar of the District of Columbia?

   Yes.

3. Have you been a member of the District of Columbia bar for at least 5 years? (Give year in which you became a member.)

   I became a member of the District of Columbia Bar in 1980.

4. Not applicable.

5. Are you a bona fide resident of the District of Columbia?

   Yes.

6. Please state the addresses of your actual places of abode (including temporary residences) with dates of occupancy for the last 5 years.

   April 1986 to Present: 7255 15th Place, N.W.
   Washington, D.C. 20012

   April 1980 to April 1986: 907 6th Street, S.W. #205
   Washington, D.C. 20024

7. Have you maintained an actual place of abode in such area for at least 5 years?

   Yes.

8. Are you a member of the District of Columbia Commission on Judicial Disabilities and Tenure or the District of Columbia Judicial Nomination Commission?

   No.

9. Have you been a member of either Commission within the last 12 months?

   No.

AFFIDAVIT

Eric H. Holder, Jr. being duly sworn, hereby states that he/she has read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of his/her knowledge, current, accurate, and complete.

Eric Holder

Subscribed and sworn before me this 11th day of May, 1988

Gloria Berry
Notary Public

My Commission Expires: October 15, 1988

THE ASSOCIATION OF
TRIAL LAWYERS OF AMERICA
1050 31ST STREET, N.W. WASHINGTON, D.C. 20007 202/965-3500

THOMAS H. HENDERSON, JR.
EXECUTIVE DIRECTOR

February 24, 1988

Wiley A. Branton, Chairman
Sidley & Austin
1722 Eye Street, N.W.
Suite 800
Washington, D.C. 20006

Dear Mr. Branton:

I am writing in support of the nomination of Eric H. Holder, Jr. to be the Associate Judge for the Superior Court of the District of Columbia.

From 1976 to 1980 I was in charge of the Public Integrity Section of the Criminal Division of the Department of Justice. For most of that time, Eric was a trial attorney in the Section. I feel that Eric would make an outstanding Judge. He has the temperament, wisdom, and the litigation background. I have always known him to be a honorable person and a person who commands respect from his colleagues. He graduated from Columbia College in 1973 and Columbia School of Law in 1976 and he certainly meets the academic requirements for this important position.

Without qualification, I strongly recommend Eric Holder to you as an Associate Judge on the Superior Court.

If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

Thomas H. Henderson, Jr.

THH:bl
cc: Judith L. Lichtman, Esq.
Mr. William Lucy
Stephen J. Pollak, Esq.
Carl S. Rauh, Esq.
Honorable Aubrey E. Robinson, Jr.
Ms. Erica E. Tollett

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF HUMAN SERVICES
COMMISSIONER OF PUBLIC HEALTH
WASHINGTON, D. C. 20002

IN REPLY REFER TO:

1875 Conn. Avenue, N.W.
Suite 825
Washington, D.C. 20002

Mr. Wiley A. Branton
Chairmen
Sidley & Austin
1722 Eye Street, N.W.
Washington, D.C. 20006

Dear Mr. Branton:

This letter is written to support the candidacy of Mr. Eric Holder for a position as a member of the Superior Court of the District of Columbia. Mr. Holder has, during my twenty year association, demonstrated the principles, integrity, compassion and discipline I believe are absolutely essential for one aspiring to this kind of leadership position.

Mr. Branton, I believe we met during my tenure as a Rockerfeller Fellow at the Joint Center for Political Studies. I served as Special Assistant to it's President, Mr. Eddie Williams. As such I was in a unique position to meet many of the major Black and White elected and appointed leaders during the late 70's. That experience gave me a very clear picture of the kind of leadership we must demand of persons recommended to this type of office.

Mr. Holder and I attended Columbia College together and have maintained a strong collegial relationship ever since. He has always been a disciplined and tireless person, whether it envolved producing well thought out and well researched papers for class or managing the prosecution of corrupt and dishonorable public officials in the United States and it's trust territories.

He is not satisfied with being an exemplary public official but with no fanfare has donated both time and money to charities that support and nuture this country's most valuable resource... our youth. While the concerned Black Men and the Efficacy Group (both work with youth at risk) take up a large part of his free time, he continually looks at ways he can make a difference. He is a role model for Black youth by both his word and deed.

The times we live in call for persons of integrity and principle to make their presence felt and there ideals known. I say without trepidation or apprehension that Mr. Holder is ready (through extensive preparation), willing and able to responsibly assume and successfully uphold the high standards of the Superior Court for the District of Columbia.

Mr. Holder is an exemplary human being and would bring an outstanding judicial temperament to this demanding position. I would welcome an opportunity to elaborate on any or all aspects of this letter of recommendation. I can be reached at (202) 673-7700.

Sincerely,

Steven Sims
Deputy Commissioner

cc: Wiley Branton
Judith Lichtman, Esq.
William Lucy
Stephen Pollak, Esq.
Carl S. Rauh, Esq.
Honorable Aubrey E. Robinson, Jr.
Erica E. Tollett

STEPTOE & JOHNSON
ATTORNEYS AT LAW
1330 CONNECTICUT AVENUE
WASHINGTON, D.C. 20036

REID H. WEINGARTEN
(202) 429-8238

January 19, 1988

Wiley A. Branton, Esq.
Sidley & Austin
1722 Eye Street, N.W.
Suite 500
Washington, D.C. 20001

Dear Mr. Branton:

I am writing to urge you to select Eric Holder as one of the nominees for Superior Court Judge. I worked with Eric for 10 years at the Public Integrity Section of the Criminal Division of the Justice Department. In my view, Eric is the most talented trial attorney in the Department. He is extremely smart, he has complete command of the relevant procedural and evidentiary rules, and he establishes a good rapport with the jury, the court and opposing counsel. In addition and probably most important, he exudes a sense of honor and fair play. I am certain that these qualities would follow him to the bench and that he would make an extremely able judge. Supporting my conclusion is the fact that Eric has handled flawlessly some of the most sensitive, difficult assignments in the Public Integrity Section, including the prosecutions of several FBI agents, a federal prosecutor, a U.S. Ambassador and a mafia boss.

I also have come to know Eric outside of work and this familiarity only reinforces my conclusion that Eric would make a fine judge. He is an extremely decent, honest and ethical man. I am certain that parties and their lawyers would be comfortable entrusting Eric with their litigation.

I last wrote to you recommending that Bob Richter be nominated as a Superior Court Judge. As you know, Bob was nominated and selected. By all accounts he is an outstanding judge. Eric would make an equally outstanding judge and I urge you to favorably consider his request for nomination.

Sincerely,

Reid H. Weingarten

STEPTOE & JOHNSON
ATTORNEYS AT LAW
1330 CONNECTICUT AVENUE
WASHINGTON, D. C. 20036

DARYL A. CHAMBLEE
(202) 429-6242

May 26, 1987

Wiley Branton, Esq.
Chairman, District of Columbia
Judicial Nomination Commission
Sidley & Austin
1722 Eye Street, N.W.
Washington, D. C. 20006

Dear Mr. Branton:

I am writing to nominate Eric H. Holder, Jr. for the position of Associate Judge of the Superior Court of the District of Columbia. I have informed Eric of my intention to write to you and he has expressed great interest in serving on the Superior Court. I have known Eric in a personal capacity for over ten years, during which he has lived continuously in the District of Columbia. I have followed his career with enormous pride and enthusiasm. I feel that Eric would make an outstanding addition to the Court.

Eric possesses the necessary background and personality which make him ideally suited for this position. His strong academic background, highly visible trial practice and extensive supervisory experience give him the necessary intellectual and practical professional status to warrant his appointment to the position. I am enclosing a resume which clearly sets forth Eric's qualifications. In addition, however, he has the sensitivity and maturity which combine to give him the necessary temperament to handle calmly, effectively and fairly any case with which he is presented.

Eric Holder is a person who is fully cognizant of and appreciates the challenge and responsibility of a position on the Superior Court and has the sensitivity, maturity and intellect to analyze and understand all sides of an issue and to dispose of it intelligently and fairly. If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

Daryl A. Chamblee

DAC/sc
encl.

HILL AND KNOWLTON

bcc: Eric Holder

Hill and Knowlton, Inc.
Washington Harbour
901 31st Street, N.W.
Washington, D.C. 20007-3838
202-333-7400
Telecopy 202-333-1638
Telex 440143 HKDC

February 25, 1988

Mr. Wiley A. Branton
Chairman
Sidley & Austin
1722 Eye Street, N.W.
Suite 800
Washington, D.C. 20006

Dear Mr. Branton:

I am writing to express my support for the candidacy of Mr. Eric Holder for a position on the Superior Court of the District of Columbia. I am confident Mr. Holder will rise to the challenge this position dictates and perform admirably.

During my ten-year association with Mr. Holder, I have watched his professional development as an attorney at the Department of Justice as well as his commitment to community service, family and friends. While his professional capabilities and record are well documented, his personal attributes of honesty, concern and integrity certainly are essential to carrying out the responsibilities of such a position. I have had many occasions to witness Mr. Holder's broad-based knowledge of global and national issues, his attention to and recall of minute facts and impressive ability to analyze issues beyond his expected area of expertise.

My support for Mr. Holder is offered without reservation with the confidence that his performance would generate great pride and respect.

Sincerely,

Lauri J. Fitz
Senior Vice President

cc: Judith L. Lichtman, Esq.
Mr. William Lucy
Stephen J. Pollak, Esq.
Carl S. Rauh, Esq.
The Honorable Aubrey E. Robinson, Jr.
Ms. Erica E. Tollett

LAW OFFICES
JANIS, SCHUELKE & WECHSLER
1728 MASSACHUSETTS AVENUE, N.W.
WASHINGTON, D.C. 20036

N. RICHARD JANIS
HENRY F. SCHUELKE, III
LAWRENCE H. WECHSLER
MARY COSTER WILLIAMS
S. ROBERT SUTTON
CLEMENT E. GAGNÉ III
MARK D. ATTORRI

TELEPHONE
(202) 861-0400

January 26, 1988

Wiley A. Branton, Esq.
Chairman
District of Columbia Judicial
Nomination Commission
c/o Sidley & Austin
1722 Eye Street, N.W.
Suite 800
Washington, D.C. 20006

Re: Eric H. Holder, Jr.

Dear Mr. Branton:

I am writing to you to support the nomination of Eric H. Holder, Jr. to the Superior Court bench.

I first met Eric in January of 1984, when he was conducting an investigation for the Department of Justice regarding the conduct of one of my clients, a federal employee in Milan, Italy. At our first meeting I was impressed both by Eric's professionalism and by his good sense. Over the course of the next several months my initial impression was only reinforced. Eric conducted the investigation in a thorough, but always fair, manner. While he often disagreed with me, he was always patient and courteous; he solicited and, I believe, fairly considered my views and analyses. Most significantly, perhaps, Eric always kept his sense of perspective. Although he was a tough, seasoned prosecutor, he was at the same time fully aware of and sensitive to the impact on an individual of a criminal investigation, and he recognized the need to exercise prosecutorial power with restraint. In this particular instance his conduct was even more commendable because he was under significant pressure from the Inspector General of the referring federal agency to validate the agency's own investigation and to "hang" my client. Eric not only resisted such pressures, but on a number of occasions

affirmatively intervened to restrain the Inspector General's overzealous conduct and to instruct the Inspector General to desist from actions that Eric felt were a violation of my client's rights or principles of fairness.

My own experience, both as a former federal prosecutor and as a defense attorney, long ago led me to the conclusion that temperment is the most telling trait by which to evaluate judges. Those judges who are looked upon by practitioners as the best are the judges who have what I would call a "judicial temperment" -- they are patient, fair, not prone to outbursts of anger or impatience, and considerate and reasonable in their demands of counsel and litigants. Other judges may be brighter, more scholarly or more analytical in their written work, but without the proper temperment they will be less successful in administering justice in a way that promotes respect for the court.

What truly distinguishes Eric Holder is his unique combination of an excellent judicial temperment with a high level of professional ability, experience and competence. I unhesitatingly recommend him for a position on the Superior Court and I am confident that if he is nominated and confirmed he will build an outstanding record and reputation.

Yours truly,

N. Richard Janis

NRJ:jkw

BIOGRAPHICAL and FINANCIAL INFORMATION
FOR U.S. SENATE COMMITTEE ON
GOVERNMENTAL AFFAIRS

NOMINEE: Mildred Matesich Edwards
POSITION: Associate Judge, District of Columbia Superior Court

A. BIOGRAPHICAL INFORMATION

1. **Name:** (Include any former names used.)

   Mildred Matesich Edwards
   Formerly "Mildred M. Matesich" (until marriage July 18, 1987)

2. **Position to which nominated:**

   Associate Judge, Superior Court of the District of Columbia

3. **Date of nomination:**

   July 25, 1988

4. **Address:** (List current place of residence and office addresses.)

   Residence: 6318 Utah Avenue, N.W.
   Washington, D.C. 20015
   Phone: 202-363-5993

   Office: 1800 M Street, N.W.
   Suite 1060 - North
   Washington, D.C. 20036
   Phone: 202-737-7777

5. **Date and place of birth:**

   March 30, 1948
   Zanesville, Ohio

6. **Marital status:** (Include maiden name of wife or husband's name.)

   Married to Harry T. Edwards

7. **Names and ages of children:**

   Jessica Claire Seidman, 8 years old
   Andrew Robert Seidman, 5 years old

8. **Education:** List secondary and higher education institutions, dates attended, degree received and date degree granted.

Newark Catholic High School
Newark, Ohio — 1961 - 1965

Rosary College
River Forest, Illinois
B.A. Political Science, 1969 — 1965 - 1969

Georgetown University Law Center
Washington, D.C.
J.D., 1972 — 1969 - 1972

9. **Employment record:** List all jobs held since college, including the title or description of job, name of employer, location of work, and dates of employment.

Bank Teller	Park National Bank Newark, Ohio	June - August 1969
Research Assistant	Prof. Alan Scheflin Georgetown University Law Center Washington, D.C.	June - August 1970
Research Assistant	Prof. Addison M. Bowman Georgetown University Law Center Washington, D.C.	June, 1971 - June, 1972
Law Clerk	Hon. Spottswood Robinson U.S. Court of Appeals for the District of Columbia Circuit Washington, D.C.	July, 1972 - September, 1973
Staff Attorney	Public Defender Service for the District of Columbia Washington, D.C.	September, 1973 - March, 1977

Represented indigent criminal defendants in juvenile, misdemeanor, and felony prosecutions in the District of Columbia Superior Court, and on appeal in the District of Columbia Court of Appeals. Also supervised attorneys in the appellate division.

Associate	Hughes, Hubbard & Reed Washington, D.C.	June, 1977 - September, 1978

Handled litigation matters for local and out-of-town clients in the Washington office of the New York law firm.

Attorney, Appellate Section	Civil Rights Division · U.S. Department of Justice Washington, D.C.	October, 1978 - June, 1985

Represented the United States as a party and as amicus curiae in the federal circuit courts of appeals and the Supreme Court in a broad range of civil rights litigation, including education, employment, housing, voting, and criminal cases. Acted as Deputy Chief of the Civil Rights Division Criminal Section, supervising 20 attorneys engaged in the investigation and prosecution of criminal civil rights violations.

Chief Staff Counsel	U.S. Court of Appeals for the District of Columbia Circuit Washington, D.C.	June, 1985 - July, 1987

Supervised the Circuit's central legal staff of eleven attorneys who prepare recommendations, proposed orders and opinions in all contested motions, emergency matters, and cases decided without oral argument; and who screen and classify all new appeals.

Managed motions processing, briefing, and oral argument schedules in complex, multi-party, multi-issue appeals.

Coordinated with the Clerk's Office in calendaring cases.

With a committee of Circuit Judges and staff, prepared and implemented the Circuit's August 1986 Case Management Plan, a comprehensive new program for handling the Circuit's entire caseload.

With a committee of Circuit Judges and staff, revised the Circuit's local rules and its Handbook of Practice and Internal Procedures.

Of Counsel	Stein, Mitchell & Mezines Washington, D.C.	September, 1987 - Present (Of Counsel since March, 1988)

Handle a wide variety of litigation matters for local and out-of-town clients in local and federal courts.

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

All government positions are listed above.

11. **Business relationships:** List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

In November, 1987, I became a general partner in Matesich Bros. Co., P.O. Box 4400, Newark, Ohio 43055, a family-owned and managed entity formed in 1979 for the purpose of owning and renting real estate in Ohio. The extent of my current partnership interest is one-sixth.

12. **Membership:** List all memberships and offices held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

I am a member of the following organizations:

- District of Columbia Bar
- Public Defender Service Association
- Rosary College Alumni Association
- Lafayette Elementary School Home and School Association

13. **Political affiliations and activities:**
    (a) List all offices with a political party which you have held or any public office for which you have been a candidate.
    (b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 10 years.
    (c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $50 or more for the past 10 years.

(a) I have never held office with a political party, nor have I been a candidate for public office.

(b) I have not been an officer in a political party or election committee, nor have I rendered services to a political party or election committee. I am a registered Democrat.

(c) To the best of my recollection my only political contribution in excess of $50.00 during the past ten years was a $500.00 contribution to the Mondale-Ferraro campaign in 1984.

14. **Honors and awards:** List all scholarships, fellowships, honorary degrees, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

- I received my B.A. degree magna cum laude in 1969.

- At Georgetown University Law Center I was invited to join the Georgetown Law Journal, the American Criminal Law Review, and Law & Policy in International Business.

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

I have no published writings.

16. **Speeches:** Provide the Committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

I have not given any speeches.

17. **Selection:**
    (a) Do you know why you were chosen for this nomination by the President?
    (b) What do you believe in your background or employment experience affirmatively qualifies you for this particular appointment?

(a) My name was one of three submitted by the District of Columbia Judicial Nomination Commission for the vacancy for which I have been nominated. I assume my selection was based on the President's belief that I was the best qualified of the three candidates.

(b) The two principal qualifications are my diverse professional experience — including substantial experience in the District of Columbia Courts — and my demonstrated commitment to a career in public service. My practice of law has embraced both civil and criminal litigation at both the trial and appellate level. As a Public Defender Service staff attorney, I spent three and one-half years representing indigent criminal defendants in the Superior Court and District of Columbia Court of Appeals. I have also handled civil litigation in the Superior Court as a private practitioner at Stein, Mitchell & Mezines. My seven years at the Department of Justice Civil Rights Division were primarily devoted to litigating civil and criminal civil rights cases in the federal appellate courts and the United States Supreme Court. In addition, I supervised prosecuting attorneys in the Criminal Section of the Civil Rights Division for approximately four months in early 1984. Thus, my criminal practice has embraced both defense and prosecution work.

Supplementing my litigation experience are the judicial administration skills I acquired in my two years as Chief Staff Counsel for the United States Court of Appeals for the District of Columbia Circuit. During that period, I completely reorganized the office of staff attorneys, increasing that office's role in processing cases. I was instrumental in developing a new caseload management plan for the Court as a whole, which has effected a significant reduction in the Court's backlog. I also assisted in a complete revision of the Court's rules, and I wrote a handbook of practice and procedures for attorneys practicing in the Court.

With the exception of approximtaely two and one-half years in private practice, my sixteen-year professional career has been spent entirely in public service. I have found that experience personally and professionally rewarding, and I would welcome the opportunity to continue it on the bench.

In addition, I have lived in the District of Columbia for almost twenty years. My children attend public school, and as a family we have gained much from making Washington our home.

B. FUTURE EMPLOYMENT RELATIONSHIPS

1. Will you sever all connections with your present employers, business firms, business associations or business organizations if you are confirmed by the Senate?

I will sever my connection with Stein, Mitchell & Mezines, where I am presently Of Counsel. I expect to continue my partnership interest in Matesich Brothers, since the purely local nature of its business activities, which are confined to the State of Ohio, do not appear to present any risk of a conflict of interest with my responsibilities as a Superior Court Judge.

2. Do you have any plans, commitments or agreements to pursue outside employment, with or without compensation, during your service with the government? If so, explain.

I have no such plans, commitments, or agreements.

3. Do you have any plans, commitments or agreements after completing government service to resume employment, affiliation or practice with your previous employer, business firm, association or organization?

I have no such plans, commitments or agreements.

4. Has anybody made a commitment to employ your services in any capacity after you leave government service?

No one has made such a commitment.

5. If confirmed, do you expect to serve out your full term or until the next Presidential election, whichever is applicable?

If confirmed, I expect to serve out my full term.

C. POTENTIAL CONFLICTS OF INTEREST.

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients or customers.

I have no such arrangements, agreements, or continuing dealings with business associates, clients or customers.

2. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated.

The only obligations which could involve potential conflicts are predicated on my home mortgage with Maryland Federal Savings & Loan Association and a home equity loan with Chevy Chase Savings & Loan. My former spouse, Louis M. Seidman, since 1985 has been paying off a note to me in the amount of $11,000.00 at 14% interest over a seven-year period. He has no alimony or child support obligation to me. My husband, Harry T. Edwards, has both alimony and child support obligations to his former wife, Ila H. Edwards.

3. Describe any business relationship, dealing or financial transaction which you have had during the last 10 years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.

These are described in my answer to the preceding question.

4. Describe any activity during the past 10 years in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat or modification of any legislation or affecting the administration and execution of law or public policy.

I have engaged in no such activity, beyond the extent to which my ordinary duties at the Department of Justice and United States Court of Appeals may have affected the administration and execution of law or public policy.

5. Explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items. (Please provide a copy of any trust or other agreements.)

I will recuse myself from any cases involving Maryland Federal Savings & Loan Association, Chevy Chase Savings & Loan, Louis M. Seidman, and Ila H. Edwards.

6. Do you agree to have written opinions provided to the Committee by the designated agency ethics officer of the agency to which you are nominated and by the Office of Government Ethics concerning potential conflicts of interest or any legal impediments to your serving in this position?

Yes.

D. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics for unprofessional conduct by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, provide details.

I have not been disciplined, cited, or otherwise been the subject of any such complaint.

2. Have you ever been investigated, arrested, charged or held by any Federal, State, or other law enforcement authority for violation of any Federal, State, county or municipal law, regulation or ordinance, other than a minor traffic offense? If so, provide details.

I have never been investigated, arrested, charged or held for any law violation.

3. Have you or any business of which you are or were an officer ever been involved as a party in interest in any administrative agency proceeding or civil litigation? If so, provide details.

I have been involved as a party in the following civil law suits:

Blume v. Matesich, Case No. 89523
Superior Court of California, Sonoma County
(uncontested divorce proceeding)
Final Decree entered August 2, 1977

I was not represented by counsel and I never appeared in court. The whole thing was handled by mail. There were no children of the marriage and no common property to be divided.

Matesich v. Seidman, Civ. Action No. D-2997-84
Superior Court of the District of Columbia
Family Division
(uncontested divorce proceeding)
Final Decree entered December 17, 1984

The hearing was before Commissioner Morton Berg. The final decree was approved by Associate Judge Robert Tignor of the Superior Court. Matters relating to custody of my two children (Jessica and Andrew Seidman) and division of the marital property were worked out in a Separation Agreement, signed by myself and my ex-husband, Louis M. Seidman, on June 11, 1984. My attorney was

Roy E. Kinsey, Jr., Esq.
Lewis, Kinsey, Dack & Good
1000 Connecticut Avenue, N.W.
Washington, D.C. 20036
775-8054

4. Have you ever been convicted (including pleas of guilty or nolo contendere) of any criminal violation other than a minor traffic offense?

I have never been convicted of a criminal violation.

E. FINANCIAL DATA (Retained in Committee files.)

SUPPLEMENT FOR D.C. JUDGE NOMINEES

F. QUESTIONS CONCERNING STATUTORY QUALIFICATIONS PURSUANT TO DISTRICT OF COLUMBIA COURT REFORM AND CRIMINAL PROCEDURE ACT OF 1970, SEC. 11-1501(b) OF THE D.C. CODE AS AMENDED

1. Are you a citizen of the United States?

   Yes.

2. Are you a member of the bar of the District of Columbia?

   Yes.

3. Have you been a member of the District of Columbia bar for at least 5 years? (Give year in which you became a member.)

   I became a member in 1973.

4. If the answer to No. 3 is "No" —

   (a) Are you a professor of law in a law school in the District of Columbia?

   (b) Are you an attorney employed in the District of Columbia by the United States or the District of Columbia?

   (c) Have you been eligible for membership in the bar of the District of Columbia for at least 5 years?

   (d) Upon what grounds is that eligibility based?

5. Are you a bona fide resident of the District of Columbia?

   Yes.

6. Please state the addresses of your actual places of abode (including temporary residences) with dates of occupancy for the last 5 years.

6318 Utah Avenue, N.W. Washington, D.C. 20015	June, 1984 to present
7258 15th Place, N.W. Washington, D.C. 20012	April, 1978 to June, 1984

7. Have you maintained an actual place of abode in such area for at least 5 years?

   Yes.

8. Are you a member of the District of Columbia Commission on Judicial Disabilities and Tenure or the District of Columbia Judicial Nomination Commission?

   No.

9. Have you been a member of either Commission within the last 12 months?

   No.

AFFIDAVIT

MILDRED M. EDWARDS being duly sworn, hereby states that he/she has read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of his/her knowledge, current, accurate, and complete.

Mildred M. Edwards

Subscribed and sworn before me this 28 day of July, 19 88.

Notary Public

*My Commission Expires June 14, 1993

McGEORGE SCHOOL OF LAW

UNIVERSITY OF THE PACIFIC

June 5, 1987

Wiley A. Branton, Esq.
Sidley & Austin
1722 I Street N.W.
Suite 800
Washington, D.C. 20006

Dear Mr. Branton:

I understand that the Commission on Judicial Selection is considering Mildred Mary Matesich for judicial vacancies in the District of Columbia. As a long-time colleague of Ms. Matesich, I am writing to convey my strong endorsement of her qualifications for the bench. Ms. Matesich served as an attorney in the Appellate Section of the Civil Rights Division, United States Department of Justice from October 1978 to June 1985. During that period I was Chief of the Appellate Section and had frequent opportunity to work closely with Ms. Matesich. My recommendation is based on these contacts, although it may also be appropriate for me to mention that Ms. Matesich came to the Division highly recommended and that my contacts since she left the Division suggest that she continues to enjoy a high reputation among her peers.

As an attorney in the Appellate Section Ms. Matesich was responsible for numerous major appeals and also handled several major legislative assignments. It is no exaggeration to say that her assignments covered the civil rights map. My cursory review of an old case assignment list reflects that Ms. Matesich handled appeals regarding slavery and police brutality prosecutions, affirmative action in employment, busing, protection of the rights of the handicapped, voting rights, and the rights of prisoners, among others. She argued many of these cases in the courts of appeal and was a major contributor to many Supreme Court briefs as well. She was an attorney we often turned to when faced with particularly difficult appeals.

There are many reasons for the confidence we placed in Ms. Matesich. She has a very sharp, inquiring legal mind. She combines with her legal skills, a degree of maturity, balance and common sense which served her well as an appellate lawyer and would serve her well as a judge. She is a hard worker, committed

to fair law enforcement and equal rights under the law. As a judge I believe she would combine firmness with compassionate understanding of the positions of litigants. Based on her performance on many appellate matters, she would take great care to base her rulings on the facts and the law. Without wanting to get into specific cases, I think it appropriate to comment on Ms. Matesich's performance on several highly sensitive cases in which her careful, dispassionate review of the record and the cases influenced the Department to take positions at variance with external policy agendas. These cases tested her persuasive powers and her ability to stand up and be heard, and she performed admirably.

Sincerely yours,

Brian K. Landsberg
Professor of Law

United States Court of Appeals
District of Columbia Circuit
Washington, DC 20001

Kenneth W. Starr
United States Circuit Judge

June 8, 1987

Honorable Wiley A. Branton, Chairman
Sidley & Austin
1722 Eye Street, N.W.
Suite 800
Washington, D.C. 20006

Dear Mr. Branton:

It gives me great pleasure to recommend with highest accolades and enthusiasm Mildred Matesich for consideration for judicial appointment. She is a splendid, highly talented lawyer who has performed superbly as Chief Staff Counsel for this court. In my view, Ms. Matesich is very well suited to make a unique and lasting contribution to the judiciary at either the trial or appellate level.

Her sparkling resume speaks for itself, and I will not burden you by rehearsing the specifics of her outstanding set of accomplishments. My perspective is based not so much on her resume (although I hasten to add that I was privileged to serve on the court committee which selected, with enthusiasm, Ms. Matesich as its Chief Staff Counsel), but on her work here at the court. She combines those relatively scarce, if indeed not rare, skills of a gifted lawyer and an accomplished administrator. Needless to say, both attributes are vital for a highly successful career on the bench. But in addition to this happy combination of abilities, Ms. Matesich brings to the tasks at hand a most agreeable, congenial disposition, a demeanor that would be a source of pleasure for her colleagues on the bench and a privilege for litigants who appeared before her. She is fair-minded, sensitive, and yet a tough, firm lawyer and administrator. She is energetic and, equally important, highly productive. She does not waste time or words, but sets about accomplishing her work in a singularly efficient, yet pleasing way.

Perhaps it would not be too bold to assert, as I do with confidence, that she is held in the highest esteem by the members of this court. We are grateful to her for all that she has done for us and for the administration of justice in this circuit. We will sorely miss her.

I give her my highest recommendation.

With warm regards,

Sincerely,

Kenneth W. Starr

UNITED STATES COURT OF APPEALS
WASHINGTON, DC 20001

SPOTTSWOOD W. ROBINSON, III
UNITED STATES CIRCUIT JUDGE

June 8, 1987

Wiley A. Branton, Esquire
Chairman
District of Columbia Judicial
Nomination Commission
Sidley & Austin
1722 Eye Street, N.W., Suite 800
Washington, D. C. 20006

Re: Judicial Application—Mildred M. Matesich

Dear Chairman Branton:

It is my pleasure to submit this evaluation of Mildred M. Matesich, our Chief Staff Counsel and my former law clerk, who is a candidate for nomination to the Superior Court of the District of Columbia or the District of Columbia Court of Appeals. On the basis of my close association with Ms. Matesich over the past fifteen years, I am convinced not only that she possesses the necessary qualifications for the bench, but that any court—trial or appellate—would be graced by a judge of her intelligence, experience, and ability.

I must rank Ms. Matesich among the very best of my former law clerks—a formidable group, as you know. Indeed, one of the very first drafts she prepared for me was the finest first effort I have ever received from a new law clerk. I am happy to say that Ms. Matesich adhered to that high standard throughout her year in my chambers.

Ms Matesich's range of litigation experience, her commitment to public service, and her skill as a practitioner are amply evidenced by her resume, her work, and the commendations of the judges and attorneys who know her. I would like to address the particular qualities and experience essential to the judicial function that I believe she would bring to the bench.

Ms. Matesich's impressive legal ability is matched by a tranquil temperament in the face of any crisis. She knows how to cope with a variety of responsibilities, to set priorities, and to meet her deadlines. While undoubtably she has been an assertive and strong advocate for her clients, she can readily relinquish the advocate's role in a judicial setting. This is demonstrated by her performance as Chief Staff Counsel for the District of Columbia Circuit, where Ms. Matesich has exercised the not inconsiderable power of that office with unfailing fairness, neutrality, and sensitivity to ethical considerations.

I was the Chief Judge when the Court selected Ms. Matesich from a large field of well qualified applicants to be its Chief Staff Counsel. I was not a member of the search committee, which, independently of me, determined that she was the best qualified of the group.

Early in her tenure, Ms. Matesich recognized the need for reorganization and expansion of the Court's central legal staff. Her excellent effort in that enterprise set the stage for her subsequent involvement in the development and implementation of the Court's 1986 Case Management Plan. Ms. Matesich went on to play an active role in the 1987 revision of our local rules, and to draft a complete revision of the Court's handbook of practice and internal procedures. In all of this, she has displayed great skill in marshalling the Court's limited resources to effect major improvements in the way we handle our cases. Not the least of her contributions has been to the morale of the Court's support staff, who have been inspired and encouraged by her help and her example.

When she began her tenure as Chief Staff Counsel, I knew that Ms. Matesich possessed superb substantive skills in legal analysis, research, and writing. What I soon discovered was that she had a comparable talent for judicial administration—a talent that has been refined and enhanced in her two years of service to our Court. It is unusual, I think, to find this particular combination of litigation and judicial aptitude in an attorney of her vintage. Ms. Matesich is not just another bright young lawyer; she is endowed with judgment, common sense, and wisdom beyond her years. Coupled with these are her warm sense of humor and her genuine humility—two traits all too often absent on the bench.

I trust that you and your colleagues on the Commission will give the most serious consideration to Ms. Matesich's application. She has my unqualified, enthusiastic endorsement and support.

Please feel free to call me at 535-3350 if you have any questions.

Sincerely,

Spottswood W. Robinson, III

UNITED STATES COURT OF APPEALS
DISTRICT OF COLUMBIA CIRCUIT
WASHINGTON, D. C. 20001

RUTH BADER GINSBURG
UNITED STATES CIRCUIT JUDGE

February 4, 1988

Wiley A. Branton, Chairman
Judicial Nomination Commission
Sidley & Austin
1722 Eye Street, N.W.
Suite 800
Washington, D.C. 20006

Dear Chairman Branton:

Mildred Matesich Edwards, our court's chief staff counsel from June 1985 until the summer of 1987, is a candidate for a District of Columbia judgeship. Ms. Matesich served our court with extraordinary intelligence, good sense, compassion, and diligence. She is now a treasured personal friend. I recommend her to the Judicial Nomination Commission with great pleasure and enthusiasm.

I encountered Ms. Matesich almost daily during the period of her superintendence of our staff counsel's office. In addition to our routine, day-to-day exchanges relating to court business, we have worked closely, in harmonious partnership, on several special projects. I note three of those endeavors.

During Ms. Matesich's tenure here, we doubled the size of the court's staff counsel operation. I served on a committee of judges that conducted, together with Ms. Matesich, the recruiting, interviewing, and hiring of our expanded staff. Throughout these personnel efforts, Ms. Matesich displayed her uncommonly good judgment; her talent, experience, and consideration in dealing with candidates for staff counsel positions and with the committee of judges; and her decisiveness when we reached the selection stage.

Most recently, I chaired a committee that accomplished the first complete revision of our court's General Rules since 1978. In that undertaking Ms. Matesich had prime responsibility for ensuring the consistency of the revised rules with the court's innovative 1986 Case Management Plan. Beyond that specific charge, she contributed immeasurably to the quality of the final product as she shepherded the draft through consultations with bar members, and several rounds of amendments up to submission of the last set of proofs to the printer.

As a companion to the rules revision, Ms. Matesich undertook a careful review and complete rewriting of the court's 1987 Handbook of Practices and Internal Procedures. She produced, virtually unaided and on time, a clearly-stated, comprehensive manual for practitioners that has won high praise from all reviewers to date -- judges, court staff, and attorneys. In carrying out this assignment, Ms. Matesich was constantly sensitive and responsive to the needs of bench and bar, and adept at reconciling or accommodating competing interests and concerns.

Ms. Matesich, over the two-year term of her work at our court, demonstrated each day her aptitude for managing the "behind the scenes" aspects of judicial administration that are vital to a court's success in its "public" work of deciding cases. I am confident that she would make a wise, devoted, and caring judge, and I endorse her application unreservedly.

Sincerely,

Ruth Bader Ginsburg

Ruth Bader Ginsburg

UNITED STATES COURT OF APPEALS
WASHINGTON, D. C. 20001

PATRICIA M. WALD
CHIEF JUDGE

June 5, 1987

Wiley A. Branton, Esquire
Chairman, District of Columbia
Judicial Nomination Commission
Sidley & Austin
1722 Eye Street, N.W. - Suite 800
Washington, D.C. 20006

Dear Mr. Branton:

I understand that our Court's Chief Staff Counsel, Mildred M. Matesich, has applied for a judgeship on the Superior Court of the District of Columbia and the District of Columbia Court of Appeals. I am writing to acquaint you with her work at the Court and my evaluation of her capabilities that might be relevant to the judgeship selection process.

Ms. Matesich was selected as our Chief Staff Counsel in 1985 after an extensive search and interviewing process encompassing hundreds of applications and almost fifty interviews. As a member of the Search Committee, I enthusiastically endorsed her for the job because of her extensive litigation and court-related experience, her obvious energy and attractive personality, and a sense I had that she was a quick study and possessed an unusual capacity to size up a situation quickly and respond appropriately. The Chief Staff Counsel's job requires that the person have daily contact with all of our judges as well as supervise a staff of ten young lawyers and relate to outside counsel in the management of our complex cases. She must also assure that motions are processed as expeditiously as possible, merits calendars are drawn up, and new appeals are classified for recommended disposition on one of several tracks. In short, it is a volume-oriented job in which high quality standards must be maintained--perhaps not totally unlike judging.

Ms. Matesich's performance has borne out her promise. In the two years that she has been with us, her job has expanded exponentially. She participated in the creation and implementation of our new case management program which gives her office responsibility for processing dispositive motions and no-argument cases; she has also done valuable work on the comprehensive revision of our Court's rules and personally supervised the first updating since 1978 of the Court's Handbook of Practice and Internal Procedures. In all her work, she has manifested sensitivity to the judges, attorneys, and other Court staff, an ability to get things done on time, and a quick appreciation of the complications and nuances of a myriad of situations. She is generally well-liked by all parts of the Court family.

I would venture that Ms. Matesich's combined advantages of (1) intimate familiarity with court processes and procedures as an advocate, government lawyer, and Chief Staff Counsel, (2) her dedication to justice and the public interest, and (3) a fast intelligence and a very good writing style would eminently qualify her for a judicial post.

I hope these remarks have been helpful, and I would be glad to supplement them by phone if that would be of assistance to you.

Sincerely,

/s/

Patricia M. Wald

PMW:ejc

UNITED STATES COURT OF APPEALS
WASHINGTON, D. C. 20001

PATRICIA M. WALD
CHIEF JUDGE

February 4, 1988

Wiley A. Branton, Esquire
Chairman
D.C. Judicial Nomination Commission
1722 Eye Street, N.W.
Washington, D.C. 20006

Dear Wiley:

The Commission has solicited suggestions for upcoming vacancies at the Superior Court. I am writing to reiterate the comments I sent last summer on Mildred Matesich Edwards, formerly our Chief Staff Counsel at the Court of Appeals. Mickey's experience and performance record render her very well qualified for a trial court position. She has litigated herself extensively at the Public Defender Service and in the Civil Rights Division and her work with us thoroughly indoctrinated her into the process and recurrent problems in the D.C. court systems. Despite obvious differences between local and federal court jurisdiction, a great deal of our work is remarkably similar to our colleagues across the street, particularly in the procedural realm where a Staff Counsel's work is concentrated. I hope that your Commission will give serious reconsideration to Mickey's selection as a judge-nominee.

Thank you.

Sincerely,

/s/

Patricia M. Wald

PMW:ejc

UNITED STATES COURT OF APPEALS
DISTRICT OF COLUMBIA CIRCUIT
WASHINGTON, D.C. 20001

CHAMBERS OF
ABNER J. MIKVA
UNITED STATES CIRCUIT JUDGE

(202) 535-3375

December 21, 1987

Mr. Wiley A. Branton
Chairman, District of Columbia
Judicial Nomination Commission
c/o 1722 Eye Street, N. W.
Washington, D. C. 20006

Dear Mr. Branton:

In response to your letter of December 7 concerning the expected vacancy on the Superior Court, I would most enthusiastically urge the Commission to again consider Mickey Matesich for that vacancy. Ms. Matesich served as the Chief Staff Counsel of our court and performed with great distinction. I believe she has been previously recommended by your Commission for judicial office and I would hope that you will do so again. She will make a valuable addition to the bench.

Sincerely,

Abner J. Mikva
U.S. Court of Appeals